

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

**J.B., a minor child, by and through
his next friend, ADDIE WARD, on
Behalf of himself and all others
similarly situated;**

*
*
*
*
*

Plaintiff, *
vs. * **CIVIL ACTION NO.**
 * **2:06cv755-MHT**
 *

WALTER WOOD, in his individual *
capacity, *
 *

Defendant. *

**PLAINTIFF'S MOTION FOR ADDITIONAL TIME
FOR FILING OF RULE 26(f) REPORT**

COMES NOW the plaintiff, by and through counsel, and with concurrence of counsel for the defendant requests the court for additional time to file the Rule 26 (f) report to the Court and as grounds therefore states as follows:

1. That the Court directed counsel for the parties to file their Rule 26 (f) report to the Court on or before October 17, 2006.
2. That on or about October 6, 2006, plaintiff filed an additional lawsuit styled J.B. v. Wood in the Middle District of Alabama, case number 2:06cv908-MEF. The new action is similar to and related to this action, however, the case has been assigned to Judge Fuller. A motion to consolidate the actions is forthcoming.
3. That because the actions, whether consolidated or not, will require identical discovery and proceed simultaneously, counsel believed that for judicial economy purposes the Rule 26 reports should be coordinated.

4. That counsel for the plaintiff apologizes for failing to file this motion prior to the 17th of October, as a family medical emergency precluded preparation of the same.

5. That counsel request the Court allow additional time to file the Rule 26 (f) report until the Courts have had an opportunity to consider the propriety of consolidation of these actions.

WHEREFORE THE PREMISES considered movant prays this Court grant the relief requested herein.

Filed on this the 17th day of October, 2006.

s/Robert D. Drummond, Jr.
Robert D. Drummond, Jr.
Counsel for the Plaintiff
Bar Number 4619-O78R
323 De La Mare Ave.
Fairhope, AL 36532
251-990-6249
Fax: 251-650-1264
robertdrummond@bellsouth.net

CERTIFICATE OF SERVICE

I hereby certify that on this the 17th day of October, 2006 a copy of the foregoing was filed electronically with the Clerk of the Court using the CM/ECF system which will send notification of such filing to T. Dudley Perry, P.O. Box 66, Mt. Meigs AL 36057 and Michael Crow, P.O. Box 4160, Mtg. AL 36103-4160.

s/Robert D. Drummond, Jr.